THE Freeman

IDEAS ON LIBERTY

DECEMBER 1964

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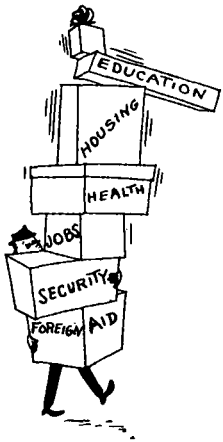

"GIVING" VERSUS EARNING

WILLIAM HENRY CHAMBERLIN

THIS is the Christmas season, when stockings are being filled, cards of greeting fill the mails, and young and old alike are cheered by presents. It is a thoroughly delightful time of the year. But one need not be a Scrooge to realize that the Christmas spirit is not a formula for carrying on the activities of the workaday world. Individuals and nations alike must earn their way in the world. There is no Santa Claus with a boundless overflowing sack of presents.

These ideas might seem fairly obvious. But they are worth stating because it is rather the fashion in current thinking to assume that, if enough money can be extracted from taxpayers who are still solvent to "give" housing, education, and other supposedly withheld benefits to the "underprivileged" at home – and steel mills, power plants, and other aids to industrialization to impoverished nations abroad – all will be for the best in the world. What is overlooked in this outwardly benevolent view is the indispensable human dynamo of individual initiative and ambition.

When New York and a number of other Northern cities were torn up with senseless and disgraceful riots in slum areas, these outbreaks were condoned on the ground that the rioters were protesting against proper standards of education and housing which had supposedly been "withheld"

Mr. Chamberlin is a skilled observer and reporter of economic and political conditions at home and abroad. In addition to writing a number of books, he has lectured widely and is a contributor to *The Wall Street Journal* and numerous magazines.

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from them. But no one, to the best of my knowledge, undertook a serious study to determine whether those who were most active in assaulting policemen and looting liquor and other stores had made an earnest effort to make good use of the educational facilities which were offered to them. The best educational methods and plant imaginable are of little use without cooperation from those who are supposed to benefit from them. Education is not something that can be poured into every individual, as milk can be poured into any bottle.

And public disorder is a singularly self-defeating means of opening up employment opportunities. The most charitable and broad-minded employer might be expected to wince if a job applicant offered as part of his qualifications the information that he had hit half a dozen police officers with bottles and other missiles and carried off loot from as many stores.

The Will to Succeed

To emphasize, as much current talk and writing does, the supposed necessity of giving without any emphasis on the concurrent obligation of earning, is to put the cart before the horse. The most hopeful soldiers in the war on poverty are individuals who are determined to escape and overcome it, who have imbibed the spirit of Scarlett O'Hara, heroine of *Gone with the Wind.* As she grubs for bare subsistence in the devastated fields of her ruined plantation, she makes the vow: "I'll never be poor again."

Scarlett O'Hara's spirit was, in the main, that of some ten or twelve million dispossessed and uprooted Germans and people of German origin, driven from their homes at the end of the war and dumped in the German Federal Republic with nothing but what they wore on their backs and carried in their hands. At first the special distress of this large group of forced immigrants seemed an almost unsurmountable social problem for a country devastated by war bombing and suffering all the other consequences of a lost war.

A special party with the name, "Union of the Dispossessed and Homeless," was formed to promote the interests of the refugees, obliged to start from scratch in a state of destitution which few Americans could match. But in the majority these refugees, their ranks later swelled by millions, who fled from communist-ruled East Germany before the Berlin Wall was erected in 1961, were hardworking, thrifty persons, passionately determined to win back what had been swept away from

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them. Before long it became evident that they were an asset, not a liability, in a reviving Germany desperately short of manpower because of war losses. Their fierce drive made them pacemakers for the rest of the Germans in the reconstruction and expansion of the national economy. Today the refugees are so completely absorbed in German life that they require no special political or other representation. And this genuine miracle of rehabilitation, the productive resettlement in a crowded country of over ten million new inhabitants, was accomplished without government direction and regimentation. Government departments gave what help and advice they could, but left the refugees free to seek their fortune as they chose.

It is a failure of judgment and emphasis to place the giving of this or that facility or advantage ahead of the will and determination of the individual to make full use of his opportunities. One need only recall the case of an American whose early educational and housing conditions would have shocked the tender-hearted social worker of the present time. He grew up in the roughest kind of pioneer, log-cabin circumstances; his schooling was simple; books in his home were few.

Yet he rose to the highest office in the land, steered the nation through a great war, and became the author of some of the most beautifully cadenced prose passages in the English language. His name, of course, was Abraham Lincoln. Personalities like Lincoln are rare in any age or country. But no exhaustive research would be needed to turn up thousands of instances of men and women who emerged from early poverty to achieve business or professional success and who look back on their early years of hardship as a useful apprenticeship in self-discipline and character building.

Marx and Freud

The emphasis on "giving" (by a state that can only "give" by taking away from someone else) as opposed to earning by individual effort is part of a general decline in the sense of individual moral responsibility. This may be traced in considerable degree to the influence of two European theorists, Karl Marx and Sigmund Freud. The interests of these men lay in quite different fields. But the logical conclusion of their beliefs is that man is not a morally free agent, able and obligated to choose between right and wrong, between good and evil.

In Marx's view of the world the overshadowing issue is the class struggle between the bourgeoisie

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and the proletariat, which is predestined to end in the triumph of the latter and the establishment of a socialist or communist form of society. Besides being a dogmatic atheist, Marx – like his politically most successful disciples, Lenin and Mao Tse-tung–brushed aside moral ideas as fictions of the capitalist class, designed to justify the enslavement of the workers. The Marxist philosophy is deeply suffused with the conviction that human character and human action are primarily determined by class relations.

Freud's theory of psychoanalysis leads to the same conclusion, that man is incapable of exercising free will in moral judgment, by a different road. For, according to Freud, the subconscious impulses, over which the human being has no control, tend to dominate his character. Another Freudian teaching is that all experiences in the first phase of childhood are of the greatest importance and, in combination with the individual's inherited sex constitution, are decisive in shaping character.

Of course, comparatively few Americans possess a firm grasp of Marxist economics and of the principles of Freudian psychoanalysis. Marx and Freud use technical language and can hardly be described as "easy reading." But, with the aid of popularization, both have considerably influenced the intellectual climate of the time – and in a direction adverse to individual responsibility.

Overemphasis on Government

This determinist view of human character leads to an exaggerated conception of the supreme importance of environment, to the view of the individual as a kind of inanimate vessel, into which some beneficent state authority should pour given doses of education and welfare. Yet everyday experience provides constant refutation of this view.

Take two boys, perhaps members of the same family, who grow up in the same environment in a big city. One joins a corner gang and becomes first a juvenile delinquent, then a full-fledged criminal. The other gets a job, studies law at night, and finally emerges completely from his original bleak and obscure surroundings. The harsh environment to which one succumbs is a spur and stimulus to the other. In neither case is the result predestined; it is a matter of individual character and will.

There was a time when what is now called juvenile delinquency would have been designated by a shorter and blunter term and would have been left to the disciplinary action of the parent or,

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in more serious cases, to the police, with little consideration for the "psychic scars" which swift and appropriate punishment might have left. Now there are platoons of psychiatrists and battalions of social workers to coddle the juvenile who goes astray. No matter how much pain to innocent people and damage to property he may cause, we are taught to look on him not as a ruffian who will be better for some exemplary punishment, but as a warped and rejected personality, a victim of his "underprivileged environment," his disturbed inner complexes, or some such jargon.

Subsidized Crime

But what has been the practical result of the softening or abandonment of the principle of individual responsibility in dealing with criminals, regardless of age? As J. Edgar Hoover, with his knowledge of the facts and statistics frequently reminds us, crime is increasing at an appalling rate, out of all proportion to the growth of the population.

Slums have long been associated in the public imagination with vice and crime, and optimists have held forth the prospect that, once slum dwellers are rehoused in better quarters, their bad habits will automatically disappear. Here again, experience shows that the problem is more complicated. A mere look around in any large city shows an enormous number of rehousing projects, mostly financed by public funds. Modern technology makes it easy to demolish old rickety buildings and put up brick apartment houses with all conveniences. But all too often these apartment houses become notorious as headquarters of gangs and centers of vice, places into which doctors, postmen, and others on legitimate errands fear, with some reason, to enter. It seems just possible that it is not so much slums that make people as people who make slums.

Better education and technical training facilities are certainly desirable objectives in themselves. It may be hoped that as these become more available in areas of widespread unemployment some tangible results in the struggle against poverty will be observed. But the best tools will be useless unless there is a will to use them. Plans that take no account of the necessity to spark, in their beneficiaries, the human dynamo, the will to overcome obstacles, to succeed, are built on sand.

How to spark this dynamo where it is nonexistent is a problem more difficult and complex than the erection of new housing projects, the provision of school supplies, machines, work benches.

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But without the vital, indispensable impulse from within the individual, too often ignored or treated as negligible by social planners, no amount of merely material effort can be counted on to yield permanent satisfactory fruits.

Operation "Backfire"

The same considerations, in a different sphere, apply to the new and unprecedented policy, mainly practiced by the United States, of allocating taxpayers' money to relieve distress and promote industrial and economic development in foreign countries. In the past, compassionate individuals and organizations raised funds to help the victims of famines, floods, earthquakes, and other natural disasters. And private investment took care of the development problem.

Despite an outflow of over $100 billion in various forms of uncompensated American largesse to foreign lands, it is by no means certain that the new method is more effective than the old, still less that America's foreign policy aims and the stability of the more or less free world would collapse if it were not for the annual foreign aid charge in the United States budget. Some indisputable facts suggest that the will of a people to produce energetically and effectively is much more important for their well-being than a large inflow of government-to-government aid.

Finland, for example, received no postwar American aid and was saddled with a substantial Soviet indemnity bill. Yet the Finns, by and large, are enjoying their traditional tidy, modest, but fairly comfortable standard of living. India, by contrast, has received over two billion dollars' worth of American aid, plus smaller amounts from the Soviet Union and Great Britain. Yet, there has scarcely been an appreciable dent in India's age-old poverty.

Indeed, one of India's most respected economists, Professor B. R. Shenoy, is convinced that the American so-called aid has encouraged the Indian government planners to push on with what Shenoy regards as the disastrous policy of concentrating capital investment on industrial plants too big for India's present needs, while neglecting the agriculture which is the main source of livelihood for most of the Indian people. Several years ago, at a meeting of the Mt. Pelerin Society, an international organization of economists, political scientists, and others committed to the ideal of a free economy, Shenoy elicited a warm round of applause by declaring:

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"What India needs is not American dollars. It is the spirit of the Mt. Pelerin Society."

Nothing that has happened in the last few years has altered his conviction; he is equipped with a formidable array of facts and figures to prove that the Indian living standard has been languishing under a regime of state planning. At the last meeting of the Mt. Pelerin Society, at Semmering, near Vienna, the international nature of this problem of the government planned economy was emphasized by a comment which I overheard in a corridor. Shenoy had just completed a very critical exposition of the corruption, maladministration, and misdirection of resources which have accompanied state planning of the economy in India. A representative from Ecuador remarked: "And this is the system they want to force on us in Latin America—through the Alliance for Progress."

It is a proved illusion that friends can be bought through lavish programs of foreign aid. The good will that may be won by an individual American who goes out on his own and does pioneer work as teacher, physician, engineer, is seldom carried over to bureaucratic dispensers of state aid. The sequel to foreign aid is often carping criticism of what has been done—and insistent demands for more.

By and large, individuals and nations usually obtain the standard of well-being which they earn by hard, intelligent, efficient work. Attempts to enhance this standard through handouts, whether of the welfare state at home or of government-to-government assistance abroad, lead to more disillusionment than success. ◈

IDEAS ON LIBERTY

The Law of Nature

THIS LAW of nature, being co-eval with mankind and dictated by God himself, is of course superior in obligation to any other. It is binding over all the globe, and all countries, and at all times: no human laws are of any validity if contrary to this; and such of them as are valid derive all their force, and all their authority, mediately or immediately from this original.

SIR WILLIAM BLACKSTONE, *Commentaries on the Laws of England* (1765)

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CIVIL DIS

A THREAT TO OU

MORRIS I. LEIBMAN

WOODROW WILSON once said: "A nation which does not remember what it was yesterday, does not know what it is today, nor what it is trying to do. We are trying to do a futile thing if we do not know where we came from or what we have been about."

In seeking to improve tomorrow, it is our duty to remember where we have been and reflect on where we are.

We live in that instant of time when it can be said that never before have 190 million people enjoyed so many material goods, however "imperfect" their distribution. Never before have 190 million people had as much mechanical, electronic, and scientific equipment with which to subdue the natural obstacles of the universe. But the multiplication of consumer wealth is subordinate to our greatest accomplishment – the fashioning of the law society.

Never in the history of mankind have so many lived so freely, so rightfully, so humanely. This open democratic republic is man's highest achievement – not only for what it has already accomplished, but more importantly because it affords the greatest opportunity for orderly change and the realization of man's self-renewing aspirations. Our goals, as set forth in the Declaration, have been buttressed by a Constitution, a system of checks and balances, a mechanism judicial, legislative, and executive which permits the continuation of Western civilization's spirited dialogue. This unhampered dialogue makes possible the opportunity to continuously approximate, through our legislative and judicial system, our moral and spiritual goals.

The long history of man is one of pain and suffering, blood and tears, to create these parameters for progress. This noble and unique experiment of ours, a hundred years ago, lived through the cruelty of a massive civil war to test whether such a unique system could endure. It did. It has. It will. Let us always remember that the law society is the pinnacle of man's struggle to date –

Mr. Leibman, who practices law in Chicago, is Chairman of the Standing Committee on Education against Communism of the American Bar Association. This is from his address before the ABA Annual Meeting, Criminal Law Section, New York City, August 11, 1964.

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LAW SOCIETY

the foundation for his future hope.

There is an obligation to that law society. It was stated more than one hundred years ago by Abraham Lincoln in these passionate words:

"Let every American, every lover of liberty, every well-wisher to his posterity swear by the blood of the Revolution never to violate in the least particular the laws of the country. . . . Let every man remember that to violate the law is to trample on the blood of his father, and to tear the charter of his own and his children's liberty. Let reverence for the laws be breathed by every American mother to the lisping babe that prattles on her lap; let it be taught in schools, in seminaries, and in colleges; let it be written in primers, spelling-books, and in almanacs; let it be preached from the pulpit, proclaimed in legislative halls and enforced in courts of justice. And in short, let it become the political religion of the nation; and let the old and the young, the rich and the poor, the grave and the gay of all sexes and tongues and colors and conditions, sacrifice unceasingly upon its altars."

No society whether free or tyrannical can give its citizens the "right" to break the law. There can be no law to which obedience is optional, no command to which the state attaches an "if you please."

What has happened to us? Why is it necessary, at this moment, in this forum to repeat what should be axiomatic and accepted? Many, many words more eloquent than mine have examined from every angle the genesis, the roots, the grievances, the despair, the bitterness, the emotion, the frustration that have resulted in the tragedies of these days.

Now what is the responsibility of a citizen – the majestic title bestowed on those of us who create and share in the values of the law society? Let there be no question of where we stand on human rights and our rejection of discrimination. Surely the continuing social task for the morally sensitive citizen is to impart reality to the yet unachieved ideal of full and equal participation by all and

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in all our values and opportunities.

Yet we must remember that there have been no easy solutions for man's inhumanity to man. Justice Frankfurter once said:

"Only those lacking responsible humility will have a confident solution to problems as intractable as the frictions attributable to differences of color, race, or religion."

Let's not forget there is nothing new in violence. Violence has throughout mankind's history been too often a way of life. Whole continents have been involved in riot, rebellion, and revolution. Human rights problems exist in India, in Asia, in the Middle East, and in Africa. A large part of the world lives behind the ugly iron and bamboo curtains of communism.

We cannot sanction terror in New York or in Mississippi. Retaliation is not justified by bitterness or past disillusionment. No individual or group at any time, for any reason, has a right to exact self-determined retribution. All too often, retaliation injures the innocent at random and provokes counterretaliation against those equally innocent. Our imperfections do not justify tearing down the structures which have given us our progress. The only solution is the free and open law society. In times when man's progress seems painfully slow on any one issue, we might also consider how well we are doing on all issues compared to most areas of the world over most of the world's history.

In this frame of reference let us identify certain current forces whose aim is to destroy the law society.

Exploiting Man's Troubles

The inexorable requirement of communism to *exploit* every difference between men should now be clearly understood. Communism constantly exploits mankind's troubles ideologically, philosophically, and psychologically. Yet we seem to be surprised, confused, even bitter about communist intervention in our civil rights problems. What could be a more natural target for communist usage? The Communist Party USA has a long history of attempting to infiltrate every segment of our society. The Negroes of America have a long history of resisting this subversion, but it would be foolish — yes — dangerous to believe the communists would not seek to insert themselves where there is unreasoning and extreme militancy in any troubled area. This is no reflection on any segment of our society — it is a recognition of the constant threat of trained trou-

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blemakers and rabble rousers aimed at all times against our entire society. The communists know they can profit by stimulating agitation and disrespect for law and order. They would be neglectful of their own sinister doctrines if they did not use these instruments of subversion and violence.

Ethnological warfare, the inciting of dissension and conflict between nationalities and races, is a widely exploited revolutionary tactic. Communists have long been instructed to change passive attitudes to "activist" attitudes, to intensify the struggle at all levels at all times. To the communist, all means are justified by the end, the basic concept that we of the law society reject. These communists have their imitators, who mimic, under many "theories" and many labels, doctrines which reject law and order. The Nazis, the Malcolm X's, the Ku Klux Klanners have repeatedly and directly challenged our principles and insisted on taking "law" in their own hands. Those who reject our legal methods and choose terror, force, violence, hate, and bigotry only play into the hands of the international communist conspiracy.

The jungle lawlessness of the frontier demonstrated to the pioneers that law was essential to the establishment of civilization. It was not the destruction of the buffalo, or the rise of fences, or fast-draw gunmen that tamed the wilderness. It was the installation of American juridical proceedings that enabled our people to weld together the disparate territories destined to become an organic nation.

Semantic Traps

I am also deeply troubled by certain concepts which have sought acceptability: the idea of "Freedom *Now*" and the idea of "Righteous Civil Disobedience." In my opinion both terms are semantic traps and only add heat to the problems of freedom and justice for all. It is a further semantic trap to divide the discourse on civil disobedience into a stereotype of liberalism vs. conservatism.

"Freedom Now" is an illusion. The desire for self-expression can be satisfied only in an atmosphere of freedom, and freedom is not absolute. It exists only within the confines of the necessary restraining measures of society.

I wish it were possible to have heaven on earth. I wish it were possible to have the ideals of justice and freedom in all their perfect form at this moment. The cry for immediacy is the cry for impossibility. It is a cry without

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memory or perspective. Immediacy is impossible in a society of human beings. What is possible is to continue patiently to build the structures that permit the development of better justice.

Let us also beware of pat phrases such as "justice delayed is justice denied." Justice delayed is no excuse for antijustice or the destruction of the law system. The fact that particular reforms have not been completely achieved does not justify rejecting legal means—the only hope for lasting achievement.

The demand for equality cannot be converted into a fight for superiority. We must be for equality under the rule of law. We are for freedom *under* law, not freedom *against* the law.

Let us also avoid unreal questions such as whether justice is more important than order or vice versa. Order is the *sine qua non* of the constitutional system if there is to be any possibility for long-term justice based on public consensus.

Flaunting the Law

What about the concept of "righteous civil disobedience"? I take it that all men now accept the fact that there can be no justification for violent disobedience under our constitutional system. Is the concept validated when the disobedience is nonviolent? In my opinion this idea has no place in our law society.

Parenthetically, I would suggest that you experts in criminal law consider whether there can be "civil" disobedience where there is a specific intent to disobey the law. Such a specific state of mind is ordinarily treated as the essence of criminality, hence not "civil." Therefore, it seems to me that there is an inherent contradiction in the concept of premeditated, *"righteous"* civil disobedience.

Yet I prefer to base the case on broader grounds. The concept of righteous civil disobedience, I think, is incompatible with the concept of the American legal system. This is particularly axiomatic where this society provides more than any other for orderly change; where every minority—including the minority of one—has been protected by a system of law which provides for orderly process for development and change. I cannot accept the right to disobey where, as here, the law is not static and where, if it is claimed to be oppressive or coercive, many effective channels for change are constantly available. Our courts do not have to apologize for their continued dedication to the liberty of all men. Our legislatures have regularly met

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the changing times and changing needs of the society with consideration for the unalienable rights of all. Even the Federal and state constitutions have been amended. Our law has not only been a guardian of freedom, but the affirmative agent for freedom.

While the idea of civil disobedience may evoke sympathy where the claim is made that the cause is just, once we accept such a doubtful doctrine we legitimatize it for other causes which we might reject. We must be even more careful in the sympathetic case because, in effect, that sets the standard of conduct which then becomes acceptable for cases not as appealing or for groups not as responsible. Thus, we substitute pressure for persuasion and squander the carefully nurtured value of self-restraint and jeopardize the system of law.

If Exceptions Prevail, What Is the Rule?

Let us not restrict our thinking to the area of civil rights. Think of the persons who feel they have the right to interfere with the launching of a Polaris submarine; think of the people who demand the right to sail into an area restricted for military testing; think of the people who feel, as some have in England, that they have the right to publicize their government's military secrets to the detriment of national security and survival.

The plain fact of human nature is that the organized disobedience of masses stirs up the primitive. This has been true of a soccer crowd and a lynch mob. Psychologically and psychiatrically it is very clear that no man – no matter how well intentioned – can keep group passions in control.

Civil disobedience is an *ad hoc* device at best, and *ad hoc* measures in a law society are dangerous. Civil disobedience under these circumstances is at best deplorable and at worst destructive.

Specific disobedience breeds disrespect and promotes general disobedience. Our grievances must be settled in the courts and not in the streets. Muscle is no substitute for morality. Civil disobedience is negative, where we require affirmative processes. We must insist that men use their minds and not their biceps. But, while the emphasis must be on the three R's of reason, responsibility, and respect, we cannot accept self-righteousness, complacency, and noninvolvement. We reject hypocritical tokenism. We have an affirmative and daily duty to eliminate discrimination and provide opportunity – full opportunity and meaningful equal justice for all our people.

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The Lawyer's Obligations

Obedience and not disobedience is the requirement of law, and the law must be obeyed by laborers and governors and especially lawyers.

I often think of J. Edgar Hoover as a symbol of the lawyers' obligation. His has been the difficult task to protect the law society, in accordance with its strict rules, against enemies within and without – the spy and the gangster, the saboteur and the kidnapper, the violators in New York and in Mississippi. Let his conduct remind us that the lawyer must serve in the tough, hard areas where our society rubs against complexity and controversy, and where prejudice, bigotry, and the emotions are the sharpest; where criticism and personal attack are certain from both sides. That is where we of the law have our primary obligation.

It is most appropriate here and now to re-emphasize our professional calling as lawyers. We must insist on the integrity of the means. We must support and protect the laws whether we agree with the particular statute or we don't. Freedom is not some easy gift of nature. The plant of liberty has not grown in profusion in the wilderness of human history. Liberty under law is a fragile flower. It must be nurtured anew by each generation of responsible citizenry. Let but a year of neglect be sanctioned, even *celebrated,* and the jungle of force threatens to recapture the untended garden. The lawyer must be in the forefront of this citizenry. We cannot settle for lip service to legality. We cannot be "sometime" lawyers.

In an era of social, political, and scientific revolutions – and at a time of accelerating and complex change – we of the law must particularly renew our understanding and improve our articulation of the basic issue of freedom under law and the continuing need to strive for equality and meaningful liberty and justice for all. Our will and determination are being tested as never before.

We must not tire of the challenge to extend freedom abroad or the challenge to make freedom a still greater reality at home. ◈

IDEAS ON LIBERTY

Rule by Law

THEY SAW that to live by one man's will became the cause of all men's misery. This constrained them to come unto laws, wherein all men might see their duties beforehand, and know the penalties of transgressing them.

RICHARD HOOKER, *The Laws of Ecclesiastical Polity*

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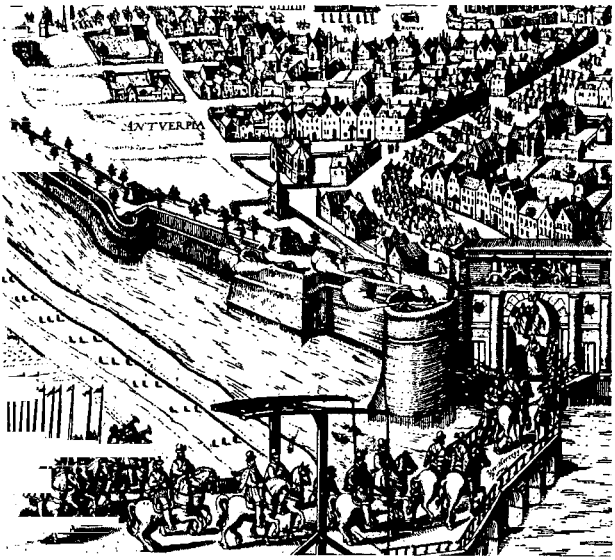

How TO Lose A War

In 1869 JOHN FISKE, *noted American philosopher, scholar and literary critic wrote an essay on "The Famine of 1770 in Bengal"* (The Unseen World and Other Essays. *Boston: Houghton, Mifflin, 1876), pointing out that a major reason for the severity of the famine was the prevailing law prohibiting all speculation in rice. The following is excerpted from that essay.*

THIS DISASTROUS piece of legislation was due to the universal prevalence of a prejudice from which so-called enlightened communities are not yet wholly free. It is even now customary to heap abuse upon those persons who in a season of scarcity, when prices are rapidly rising, buy up the "necessaries of life," thereby still increasing for a time the cost of living. Such persons are commonly assailed with specious generalities to the effect that they are enemies of society. People whose only ideas are "moral ideas" regard them as heartless sharpers who fatten upon the misery of their fellow creatures. And it is sometimes hinted that such "practices" ought to be stopped by legislation.

Now, so far is this prejudice, which is a very old one, from being justified by facts, that, instead of being an evil, speculation in breadstuffs and other necessaries is one of the chief agencies

Illustration: Capture of Antwerp, 1585. Culver Pictures, Inc., New York

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by which in modern times and civilized countries a real famine is rendered almost impossible. This natural monopoly operates in two ways. In the first place, by raising prices, it checks consumption, putting every one on shorter allowance until the season of scarcity is over, and thus prevents the scarcity from growing into famine. In the second place, by raising prices, it stimulates importation from those localities where abundance reigns and prices are low. It thus in the long run does much to equalize the pressure of a time of dearth and diminish those extreme oscillations of prices which interfere with the even, healthy course of trade. A government which, in a season of high prices, does anything to check such speculation, acts about as sagely as the skipper of a wrecked vessel who should refuse to put his crew upon half rations.

The Siege and Capture of Antwerp in the Dutch Revolution

The turning point of the great Dutch Revolution, so far as it concerned the provinces which now constitute Belgium, was the famous siege and capture of Antwerp by Alexander Farnese, Duke of Parma. The siege was a long one, and the resistance obstinate, and the city would probably not have been captured if famine had not come to the assistance of the besiegers. It is interesting, therefore, to inquire what steps the civic authorities had taken to prevent such a calamity. They knew that the struggle before them was likely to be the life-and-death struggle of the Southern Netherlands; they knew that there was risk of their being surrounded so that relief from without would be impossible; they knew that their assailant was one of the most astute and unconquerable of men, by far the greatest general of the sixteenth century.

Therefore they proceeded to do just what our Republican Congress, under such circumstances, would probably have done, and just what the *New York Tribune*, if it had existed in those days, would have advised them to do. Finding that sundry speculators were accumulating and hoarding up provisions in anticipation of a season of high prices, they hastily decided, first of all to put a stop to such "selfish iniquity." In their eyes the great thing to be done was to make things cheap. They therefore affixed a very low maximum price to everything which could be eaten, and prescribed severe penalties for all who should attempt to take more than the sum by law decreed. If a baker refused to sell his bread for a price which would have been adequate only in

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a time of great plenty, his shop was to be broken open, and his loaves distributed among the populace. The consequences of this idiotic policy were twofold.

In the first place, the enforced lowness of prices prevented any breadstuffs or other provisions from being brought into the city. It was a long time before Farnese succeeded in so blockading the Scheldt as to prevent ships laden with eatables from coming in below. Corn and preserved meats might have been hurried by thousands of tons into the beleaguered city. Friendly Dutch vessels, freighted with abundance, were waiting at the mouth of the river. But all to no purpose. No merchant would expose his valuable ship, with its cargo, to the risk of being sunk by Farnese's batteries, merely for the sake of finding a market no better than a hundred others which could be entered without incurring danger. No doubt if the merchants of Holland had followed out the maxim *Vivre pour autrui*, they would have braved ruin and destruction rather than behold their neighbours of Antwerp enslaved.

No doubt if they could have risen to a broad philosophic view of the future interests of the Netherlands, they would have seen that Antwerp must be saved, no matter if some of them were to lose money by it. But men do not yet sacrifice themselves for their fellows, nor do they as a rule look far beyond the present moment and its emergencies. And the business of government is to legislate for men as they are, not as it is supposed they ought to be. If provisions had brought a high price in Antwerp, they would have been carried thither. As it was, the city, by its own stupidity, blockaded itself far more effectually than Farnese could have done it.

In the second place, the enforced lowness of prices prevented any general retrenchment on the part of the citizens. Nobody felt it necessary to economize. Every one bought as much bread, and ate it as freely, as if the government by insuring its cheapness had insured its abundance. So the city lived in high spirits and in gleeful defiance of its besiegers, until all at once provisions gave out, and the government had to step in again to palliate the distress which it had wrought. It constituted itself quartermaster-general to the community, and doled out stinted rations alike to rich and poor, with that stern democratic impartiality peculiar to times of mortal peril. But this served only, like most artificial palliatives, to lengthen out the misery. At the time of the surrender, not a loaf of bread could be obtained for love or money. ◈

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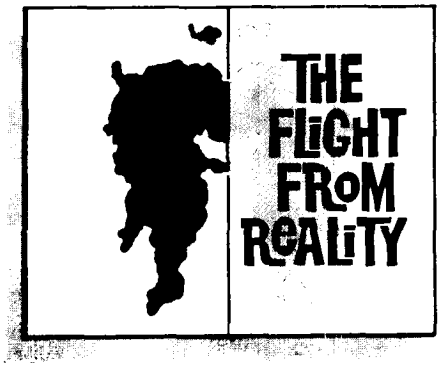

3. *The Nature of Reality*

CLARENCE B. CARSON

IT IS NOT DIFFICULT for most of us to understand the desire to reform things. On the surface, at least, there is so much that is not the way it should be; or, if that formulation be not acceptable, there is so much that is not the way we would have it be. Many people do not behave in ways that are pleasing to us. They fritter away their time, occupy themselves with amusements that are in reality anesthetics, prefer the dulling to the ennobling experience, act irresponsibly, waste their talents, and fail to devote themselves to the improvement of themselves and others.

Nor does the world appear to be perfectly ordered. Notice how unequally the resources for human living are distributed on the earth. Here is a drought while there is a flood; here is abundance, even surplus, while there is scarcity, even hunger; here the land is fertile while there it is arid. It seems that there is much injustice on this planet. Children who are born of poor parents have not the advantages of those born of rich ones. Men whose land is infertile eke out a bare existence by the sweat of their brow, while those more favorably situated live in the lap of luxury. Men die at an early age before their promise has been fulfilled. There is suffering, deprivation, disease, hunger, malnutrition, disfiguration, malformation of bodies, and so on through all the variants of things to which flesh is heir.

Surely, many will say, things

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are not as they should be. Why not set them aright? Why not remake man and society more in keeping with our vision of them? Why not introduce those reforms which will most likely lead to an improved world in which to live? More specifically, why not use the power of government to accomplish these ends?

At its deepest, the reform impetus has been animated by such questions and visions as are formulated above. It is understandable, I say, for men to think in this manner, for them to want to pool their power and accomplish such apparently worth-while ends. Some would go so far as to say that it is *natural* for men to think this way. But this last statement should not be accepted. The historical record will not support the view that the urge to reform, in this all-embracing fashion, is natural, unless we believe that most men at most times have been unnatural. The fact is that this reformist view is almost entirely restricted to the last hundred years or so, and probably only became more generally accepted in the last twenty to forty years.

Most men have *not* believed that it was possible to alter, fundamentally, man, society, or the universe, or that it would be desirable to do so if it could be done. True, peoples have dabbled in magic, prayed for supernatural intervention in the course of things, and occasionally used government for ameliorative purposes. But these have had some specific and very limited object, quite different from the objective of remaking everything to accord with human vision.

Whose Reality?

The major obstacle to unlimited reformism is *reality* itself. Historically, the major obstacle to the rise and triumph of a reformist bent has been the *conceptions* which men had of reality. There is no need to mask the fact that the conceptions which men have had of reality may not have been valid. It should be noted, too, that the special competence of historians of ideas extends only to an account of the ideas which men have held, not to the accuracy, validity, or truth of the ideas. How, then, can a historian do a work which has as its subject *The Flight from Reality*? Unless he means that many men no longer have any conception of reality, has he not entered the realm of philosophy for the validation of the thesis?

Actually, however, all work proceeds upon some conception of reality, implicit or explicit, just as do all statements which purport to contain truth. The difference in

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this case is that the issue of what constitutes reality cannot be evaded or simply assumed; it must be articulated in order to validate the thesis.

In setting forth a conception of reality, however, I have no intention of giving one that I have constructed. In fact, I have not constructed one, nor have I felt it desirable to do so. The work has been done already, with many variations and in great detail. There is a great tradition of philosophy to which all those in Western civilization are heirs. A conception of reality is embedded in our language, informs our thought, is elaborated in our institutions, is implicit in our customs, and can be found in books in our libraries. The fact that a new conception of reality has been developed in the last century or so does pose problems of validating the older conception. Even so, I accept as valid some of the central insights of the Western tradition of philosophy and present them as an adequate conception of reality for my purposes.

Histories of philosophy usually devote much of their space to differences in philosophies. This is as it should be. The student needs to know how Plato differs from Aristotle, how Augustine differs from Thomas Aquinas, and how David Hume differs from Thomas Hobbes. These differences are sometimes great, and they are important. The focus upon the differences, however, may result in losing sight of what these and other philosophers have in common.

The Western Tradition

There is a central tradition of Western philosophy, a central insight, quest for, and belief about reality which transcends the differences of such diverse men as Thales, Pythagoras, Plato, Aristotle, Cicero, Augustine, Anselm, Aquinas, Duns Scotus, Descartes, Spinoza, Hobbes, and Kant. They all belong, to a greater or lesser extent, to the major tradition in Western philosophy. The tradition may be called by a variety of names – Platonic-Aristotelian, rationalism, essentialism, realism (in the Medieval sense) – but to be a philosopher in the West has usually meant to belong to it. There have from time to time been dissenters from it such as the Greek sophists and materialists, but from the perspective of a long history these have been but rivulets meandering into deserts where they dried up. (Perhaps the figure is not quite right, for in the recent past there has been a revival of sophistry in relativism and of materialism in mechanistic

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and atomistic doctrines, but that is a story that can be deferred for later discussion.)

The central insight of the Western tradition of philosophy is that there is an enduring, even an eternal, reality. Indeed, "the real" came to be defined in philosophy as that which is fixed and unchanging. In the main, philosophers have been bent upon making systematic accounts of the universe, of matter, and of life, upon discovering from whence things came and where they were going, upon finding the common denominator which would bring unity out of diversity, upon locating the primal stuff of the universe, and upon describing the cohesive principle that orders reality. The history of philosophy in the West is traced from the appearance of efforts to do these things.

Enduring Values

Permanence is not obviously the most prominent feature of reality. On the contrary, it is quite likely that the untutored eye would discover not unity but diversity, not order but disarray, not system but chaos, not purpose but randomness, not fixity but change. To the senses, each thing is different from every other thing. All things are changing, if not perceptibly, then, over any considerable period of time. Decay sets in rather rapidly for all material things, that is, for all that comes to the senses.

One of the earliest philosophers, Heraclitus, perceived the fluctuating character of all things and proceeded to erect a philosophy around the permanence of flux. A thoroughgoing philosophy of flux, however, tends to disintegrate the very world which men discoursed about long before there was formal philosophy. "If everything is in a state of change, the names which we give them become misleading, for as soon as we label something we seem to give it a 'nature' which is lasting. But if nothing endures, all such labels are a vain and childish attempt to arrest the passage of time, to grasp at fleeting shadows. . . ."[1]

An Ordered Universe

It should be clear, then, that long before the Greek philosophers men had perceived an order in the world, that they had incarnated these conceptions in language which included class names and ways of referring to an ordered reality. Philosophers did not simply create a vision of reality; they worked with one that was already implied in the culture which

[1] George Boas, *Rationalism in Greek Philosophy* (Baltimore: The Johns Hopkins Press, 1961), p. 8.

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they had received. Much of philosophy has been concerned with bringing to consciousness that which is implied in language. This is not to say, as some have, that philosophers have been simply playing with words. On the contrary, they have been concerned to delve into a reality for which the received words of their culture stand. The mainstream of Western philosophy has been deeply rooted in culture and tradition. It has been to a considerable extent the unraveling of such truth as was bound up in language. (Anyone who holds that his language does not embrace truth, is not descriptive for truth, must first construct a new language by which to convey any truths which he perceives.)

Quite possibly, the philosophical quest arose out of the disparity between the inherited cultural vision of reality and the world brought to men by their senses. What we do know is that the early philosophers focused their attention upon the distinction between appearance and reality. As one writer says, "Whatever else may be said about early Greek philosophy, it is safe to maintain that from its very origins it made a distinction between the world as it appears to man and the world as it really is."[2] The central view for Western philosophy is that of Plato, that there is an underlying reality which is eternal, that change, decay, disorder – the world of appearances – is an illusion insofar as it appears to be that which is real.

Ultimate Reality

The real, then, is that which endures, or is eternal. But what endures? There have been many ways of approaching the answer to this question. It may be noted, too, that an adequate answer accounts for both reality and appearances. There is an answer which antedates philosophy but which has subsequently been embedded in most philosophies. In its monotheistic form, it is the view that God is *the* real, that he is the everlasting, the unchanging, the enduring, the eternal. He is the creator; all things come from him; that which does not have its end and culmination in him is illusory and unreal. This view was an article of faith long before it was the subject of rational proofs. Efforts at proving it have not succeeded for very long or for very many in changing the fact that it is Faith's answer to the riddle of the universe. Philosophy proceeds discursively; the above view leaps from appearance to reality, not troubling to make the necessary steps.

[2] *Ibid.*, p. 1.

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From a rigorously theistic point of view, metaphysics has usually been concerned with an intermediate realm between the physical world of appearances and the ultimate reality which is God. In short, metaphysics has been the study pursued by those seeking to discover and describe that which gives order, structure, and form to the universe. Metaphysicians have held that the universe is ordered, that reality is structured, that there is a fixity beneath the appearance of flux.

Traditional Western philosophers have held that the underlying reality is made up of *essences*. These essences have been called by a variety of names, and these different names involve some differences of character. But they all refer to permanent features of reality. Essence has been conceived as idea, as form, as potentiality, as law, or as spirit. For some, the essence is that from which all things derive, to others that toward which all things move. Essences may usually be conceived of as *absolutes*, and they serve the role of *principles*.

To pursue metaphysical thought any further would involve us in particular systems. These are complicated and vary considerably from one thinker to another. Undoubtedly, the most fertile systems for Western thought were those set forth by Plato and Aristotle. Some hold that virtually all directions taken by thinkers were at least implied by Plato. It is doubtful that philosophic thought is cumulative in a significant way. There are still thinkers who accept Aristotle or Aquinas as their masters. But over the centuries there was an unfolding and elaboration (though not necessarily progressive) of the premises and assumptions of essentialism which was important.

Central Insights

The search for the permanent resulted in the discovery of an impressive body of laws, the setting forth of conditions within which human life is lived, and an understanding of the structured nature of reality. There were gains and losses of knowledge over the centuries, depending upon the particular focus upon reality, the aptitude of the searchers, and the breadth of the approach. A few of these gains should be set forth as the central insights of Western thought.

Perhaps the central one of these, built upon the premise of an enduring reality, is that there is an order in the universe. At the physical level, much of this order is available to or can be confirmed by experience. There are predictable regularities all around. The

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seasons of the year follow one another in predictable fashion, and, having completed their cycle, they recur. Seeds taken from a plant reproduce that plant, other things being equal. Animals go through a cycle of life: birth, growth, maturity, death. "Then there are also the regular changes in the positions of the heavenly bodies, beginning with the sun and the moon and after them the planets. The regular sequence . . . of the tides . . . , of eclipses of the sun and moon, were observed at a very early date."[3]

This same sort of regularity or order can be found in other realms, too. The order that has long enamored philosophers, since the time of the Pythagoreans, is that in mathematics. H. D. F. Kitto gives an experience of his which must parallel that of early mathematicians, and which awakens a sense of the marvelous character of mathematics:

> . . . It occurred to me to wonder what was the difference between the square of a number and the product of its next-door neighbours. 10 x 10 proved to be 100, and 11 x 9 = 99 — one less. It was interesting to find that 6 x 6 and 7 x 5 was just the same, and with growing excitement I discovered, and algebraically proved, the law that this product must always be one less than the square. The next step was to consider the behavior of next-door neighbors but one, and it was with great delight that I disclosed to myself a whole system of numerical behavior. . . . With increasing wonder I worked out the series 10 x 10 = 100; 9 x 11 = 99; 8 x 12 = 96; 7 x 13 = 91 . . . and found that the differences were, successively, 1, 3, 5, 7 . . . the odd-number series.

He draws the conclusion:

> Then I knew how the Pythagoreans felt when they made these same discoveries. . . . Did Heraclitus declare that everything is always changing? Here are things that do not change, entities that are eternal, free from the flesh that corrupts, independent of the imperfect senses, perfectly apprehensible through the mind.[4]

The Physical Linked with Mathematical Order

When and as men discovered that these two kinds of orders — the physical and mathematical — were linked together in a reality that could be discovered and described, their sense of wonder and awe sometimes surpassed the bounds of language to capture. There have been many discoveries of this remarkable linkage, but none was more exuberant than Johannes Kepler in reporting them:

[3] *Ibid.*, p. 5.

[4] H. D. F. Kitto, *The Greeks* (Baltimore: Penguin Books, 1951), pp. 191-92.

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. . . Having perceived the first glimmer of dawn eighteen months ago, the light of day three months ago, but only a few days ago the plain sun of a most wonderful vision – nothing shall now hold me back. Yes, I give myself up to holy raving. I mockingly defy all mortals with this open confession: I have robbed the golden vessels of the Egyptians to make out of them a tabernacle for my God, far from the frontiers of Egypt. If you forgive me, I shall rejoice. If you are angry, I shall bear it. Behold, I have cast the dice, and I am writing a book either for my contemporaries, or for posterity. It is all the same to me. It may wait a hundred years for a reader, since God has also waited six thousand years for a witness. . . .[5]

One of the considerable joys of the study of history is to visit with those in the past who have lifted the veil to peer from time into eternity, who have experienced the enduring harmony behind the cacophony of passing events, who have renewed in themselves an age-old vision of order.

This vision of order has not been restricted to the physical and mathematical, nor to a union of these, of course. It has been extended to the ethical realm to embrace the relations among men, to human nature, to laws, standards, and principles for living and life.

[5] Quoted in Arthur Koestler, *The Sleepwalkers* (New York: Macmillan, 1959), pp. 393-94.

The Use of Reason

A second insight which went along with this vision of an order in the universe was the view that this order is rational. That is, we can come to a knowledge of this universe by the use of reason. (This does not rule out the possibility that knowledge may come by the more direct mystic experience. But knowledge acquired by the mystic experience is private, not public.) Two methods, with many variations, were developed for using reason to acquire knowledge. One of these is associated with Plato. It is the dialectical method, personified for us by Socrates and called also the Socratic method. The dialectic is used to arrive at clear and consistent ideas. Ideas are opposed against ideas; each statement is examined minutely for inconsistencies; it is held up beside opposing views.

This method assumes that ideas are innate, that the truth is already embedded in the mind and needs only to be called forth. Involved in the calling forth is the clarification which results from the removal of contradictions. This is *a priori* reasoning, for the truth is there before the examination of ideas takes place. *A priori* is also used to refer to deductive reasoning, but it should be noted that deduction is only a method for reasoning to particulars once

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the universal or principle is known. Since true knowledge to Plato is of ideas — universals, principles, standards — it cannot be arrived at by deduction but rather by the dialectic.

The other method for arriving at truth by reason may be called the Aristotelian. It is the inductive method; in its extended and elaborated form we know it as the scientific method. The procedure is to reason from the particular to the general or universal. Aristotle provided for this method in his metaphysics by maintaining that form is joined to matter in actuality. To put it another way, the particular articulation of matter, such as shape, is given to it by pre-existing form. The forms are eternal, or they derive from or partake of the enduring. It follows, then, that one might gain a knowledge of the universal order by a study of particulars, by the classification of them according to common traits, by the codification of regularities, and by the description of the laws which may be induced from many instances. Of course, the reduction of this method to a simply stated formula did not occur until the modern era.

The Objective Nature of Reality

A third insight is that this rational order in the universe is objective. To put it more deeply, there is a reality which exists independently of human knowledge of it. Reality is something we come to know because it exists, not something which comes into existence when we take cognizance of it. The following, which Boas affirms of Plato, could be said with equal validity of virtually every philosopher in the Western tradition: Plato believed "that the nature of things is whatever it is independently of our knowledge of it. He is far from being a subjectivist in his metaphysics. We discover natures; we do not produce them either by our powers of observation or by our methods of inquiry."[6]

Now, rationalists have usually held that knowledge of objective reality is possible because there is a congruity between mind and reality. The relationship can be simply stated in this way: reality is ultimately rational; man is a rational being; therefore, man can know reality. But the important point here is *objectivity*. The objectivity of the universe makes possible public truth about it, that is, truth which transcends any subjective view about it. Opinions may differ because men are prone to err, but one opinion is not as good as another, nor does the number of men who hold a par-

[6] Boas, *op. cit.*, p. 141.

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ticular view affect its validity, so long as there is an objective reality to which truth pertains.

Cause and Effect

A fourth insight of the Western tradition of philosophy is that cause and effect operate in the universe and are inseparably linked together. As this insight applies to human action it means this: a given act will have a given effect, other things being equal. That is, if one plants corn, corn stalks will come up, provided the conditions are right, of course. If the corn is not weeded, weeds will choke out the corn and reduce the harvest. In short, there are predictable and even inevitable consequences which follow from any line of behavior.

Given the insights discussed above, the relationship between cause and effect can be rationally explained. There is an order in the universe; it is an order in which effect follows cause; that is the nature of things. Since the universe is objective, the effect of an action is not altered by the intent of the actor. It happened that I set out and cultivated some tomato plants. My intention was to have red or pink tomatoes, but the plants were the kind that produced tomatoes that were yellow when ripe. Hence, the tomatoes were yellow ones. Of course, Everyman acts upon the premise that effect follows cause in simple matters, else he is accounted a fool by his neighbors and will most certainly have to be taken care of by others. But cause and effect are more difficult to discern in complex and subtle matters, and, as we shall see, a great many people have been led away from this insight. The insight has it that effect follows cause regardless of the complexity of the phenomena or the subtlety of the operation.

The Fixed Nature of Things and Social Implications Thereof

A fifth insight is that everything has a nature, that this nature is fixed and immutable. Indeed, as I have already suggested, this was the central premise upon which the philosophical quest was based. The quest for the nature of things led to or made possible many of the other insights. The point is repeated here so that the implications may be drawn from it in a particular direction. This work is primarily a social study. Truths about the physical and metaphysical universe are tangential to it and bear upon it only as they have been brought to bear upon it, or as the universe is one, and social relations are an integral part of it. At any rate, the social implications are of

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greatest concern here, and we will now focus upon them.

Virtually the whole of Western philosophy through the eighteenth century of our era has been essentialist. The quest for and elaboration of the nature of things is writ large in the pages of its history. From our vantage point, this search and quest culminated in the seventeenth and eighteenth centuries, though some of the implications have continued to be drawn out. There have always been social applications which could be and to some extent were made of the resultant knowledge. But never was it done on such a scale and with such effect as in the Ages of Reason and Enlightenment. Thus, it will be appropriate from every angle to focus upon this most recent time for drawing out the social applications of the doctrines about the nature of things.

The Laws of Nature

In this last age of philosophy before ideology began its takeover of thought, social thought proceeded from a conception of the nature of the universe and of man. The fundamental character of the universe, to thinkers of the seventeenth and eighteenth centuries, was its lawfulness. The visible universe was sustained by underlying laws. This was no new insight, but it was given new conclusive proofs by Galileo, Kepler, Leibniz, and Newton. Everywhere thinkers looked, they saw regularity and proportion — the balance of the seasons, the plenitude of life, the variety of scenery, the predictability of the operation of the universe. The planets moved with predictability in their orbits; the earth made its rotation each day, its revolution each year. All things had their seasons, cycles, and natures. Law pervaded reality, and extended outward to touch every relationship and thing.

Man has a nature, these thinkers saw, is participant in a lawful order, has a predetermined place in the scheme of things. There are many ways to look at human nature. The distinguishing feature which has usually been focused upon is the rationality of man. He alone of all creation is a thinker by nature, capable of acting after having taken thought, rather than acting upon instinct; capable of knowing the universe of cause and effect, of law and order, and making calculations in terms of this knowledge; capable of knowing himself and what is appropriate to him. Man also has a discernible physical nature: he is bifurcated, bipedal, mammalian, has a certain form toward which he moves, and

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when he has arrived at it may be called mature. He is subject to the laws of the universe and of his own nature.

Voltaire put it this way: "It would be very singular that all nature and all the stars should obey eternal laws, and that there should be one little animal five feet tall which, despite these laws, could always act as suited its own caprice."[7] This may be taken to mean, in part, that man is a limited being, limited in that he must act in conformity with physical laws in order to attain his ends, limited by the fact that he is mortal to a relatively short life, limited by his residence in time and place, and so on.

The Nature of Man

Eighteenth century thinkers were more apt than not to be optimists; therefore, they were more likely to put emphasis upon possibilities suggested by human nature. The true nature of man was revealed in the mature and fulfilled individual, in the man who had fully developed his powers of reasoning, in the virtuous man who exemplified the virtues of Morality, Justice, and Piety. Above all, human nature was fulfilled and made manifest in a life of order, proportion, and harmony in imitation of the Divine order.[8]

Thinkers saw, too, that there is a natural order for human relations, that there is in the nature of things an implicit social order. They found it by looking into the nature of things. Just as men and the universe have a nature, so do political relations, economic relations, social relations, and so on. Some conceive of human institutions as infinitely variable, of constitutions as arbitrary creations, of laws as products of the imagination. Not so the thinkers of the eighteenth century. Indeed, theirs was no new insight. Aristotle had seen that every government must be either of the nature of a monarchy, an aristocracy, or a democracy. These forms can be combined or mixed, as was done in the case of the American Republic, but no other forms can be made. That is just the way things are.

The Nature of Government

There are natural laws for the relations among men and nations. These laws are antecedent to and take precedence over all of man's attempts to make laws. As Montesquieu declared, "Laws in their

[7] Quoted in Ernst Cassirer, *The Philosophy of the Enlightenment* (Boston: Beacon Press, copyright Princeton University Press, 1951), p. 251.

[8] See Basil Willey, *The Eighteenth Century Background* (New York: Columbia University Press, 1950), pp. 71-73.

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broadest sense are the necessary relations which are derived from the nature of things. . . . Before there were any enacted laws, just relations were possible. To say that there is nothing just or unjust excepting that which positive laws command or forbid is like saying that before one has drawn a circle, all of its radii were not equal."[9]

Locke's doctrine of natural rights – the right to life, liberty, and property – was founded in the nature of man and the universe. As one writer describes Locke's position: "There are natural rights of man which existed before all foundations of social and political organizations; and in view of these the real function and purpose of the state consists in admitting such rights into its order and in preserving and guaranteeing them thereby."[10]

The marvel of all this, at least to social thinkers in the eighteenth century, was that an examination of the nature of government tended to indicate that it was suited to perform just those functions, and only those functions, which would maintain life, liberty, and property. That is, if government used force to punish aggressors, a function to which its nature is suited, then liberty would prevail. Governments need not concern themselves with other interventions, for natural law will operate best and most efficiently in the absence of government action. Thus, the physiocrats and Adam Smith showed that economic behavior is governed by laws which derive from human nature and the nature of the universe, that these laws do not need to be enforced by governments, and that great harm will result if governments act in contravention of them. Just so, systems of natural morality were set forth, natural education, and so forth. As these ideas were implemented in Great Britain, the United States, and elsewhere, freedom replaced compulsion in numerous activities and the area where voluntary activity had free play was greatly extended.

Man Defies Nature at His Own Risk and Peril

A sixth, and final, insight of Western thinkers has to do with creativity. In the deepest sense, men do *not* create, according to this tradition. Men can only reproduce, discover, represent, imitate, copy, and report. Reality is not plastic, to be shaped as human beings will. It is absolute, fixed, immutable. Deep sanctions against presumptive efforts at human interference have been embodied in

[9] Quoted in Cassirer, *op. cit.*, p. 243.
[10] *Ibid.* p. 250.

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myths, preserved in scriptures, and set forth in treatises. Man is neither god nor demigod, and creativity is in the province of the gods, as pagans would have it, or the province of God.

A jaded and presumptuous generation of men have found this limitation intolerable. The study of history reveals that men who had no thought of creating out of the void, as it were, found great joy in what was possible for them to do. Who would surpass Kepler's exhiliration at *discovering* laws in the universe? Who can write better music than Mozart's *imitation* of the harmony and order that underlies nature? Has there been nobler sculpture than Michelangelo's *representation* of Moses? Thinkers were exuberant, not inhibited, who discovered laws of human relations, and bade men to live in accord with them. The pessimism, malaise of spirit, and joylessness of contemporary would-be creators may be proof enough of the futility of such presumption. In the Western tradition of thought, reality exists; man learns to live in harmony with it or suffers the consequences of his failure. ◈

The next article in this series will concern "Cutting Loose from Reality."

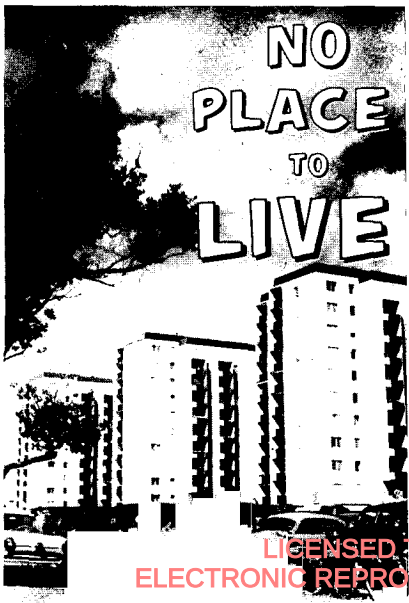

Illustration: Stockholm suburb. A. Devaney, Inc., N. Y.

DEAN RUSSELL

ADVOCATES of the Welfare State are forever citing Sweden as the perfect example of democratic socialism in practice, especially for housing and city planning. They proudly proclaim that there are no slums in Sweden and that everyone has adequate living space. And they recommend the Swedish way as the proper solution to our own housing and urban development problems.

The picture painted by the liberal-socialists of a paradise in

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Sweden is persuasive indeed. And when I finally visited that country, I admit that I was quite impressed by those attractive government housing projects – surrounded by lovely parks with happy children playing in them. I didn't see a slum anywhere.

Since I try to be a reasonably honest person, I had no alternative but to give credit to socialism for the housing situation in Sweden. Further, I was faced with the possibility that housing might be an exception to my long-held theory that the results of socialism will always be undesirable in the long run. As the months and years went by, however, I began increasingly to encounter statistics on the Swedish experiment like these two items from *The New York Times:*

". . . the waiting time for an apartment in Stockholm continues to be six or seven years." (October 21, 1962)

And two years later (September 20, 1964): "At present, Stockholmers must wait up to 10 years for an apartment."

Thus I have no logical choice but to stay with my old theory – that is, when government assumes responsibility for *any* product or service that has (or can have) a price in a peaceful market, the result will eventually be bad.

Under governmental responsibility for housing, there is now no place to live for a young couple who would like to get married and set up housekeeping in the capital city of Sweden. The socialistic housing and investment laws effectively discourage private investors and contractors from providing adequate free-market housing in Stockholm. Thus, most Swedes have no alternative but to wait on their paternalistic government to award them space to live. That is a degrading relationship that will never be tolerated by a proud people.

This same thing happens – *must* eventually happen – whenever and wherever the government usurps the functions of the market place wherein peaceful persons can voluntarily exchange their goods and services. Socialism (whether in Russia, Sweden, or the United States) is necessarily destructive of individual freedom and personal responsibility; for when the government moves in, those character-building attributes are automatically displaced by force and compulsion. I am convinced that any law that deprives a peaceful person of his freedom and responsibility (as socialism does) is clearly immoral. Thus, no one should be surprised that, over a period of time, the results of socialism in practice are always universally bad. ◈

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THE LABOR MONOPOLY

BENJAMIN A. ROGGE

IN THE PARAGRAPHS to follow you will find me critical of both the goals and techniques of trade unionism. Nor can I soften this position by announcing that, in spite of my sharp words, I am basically pro-union. I am not for "good" but opposed to "bad" (e.g., racket-controlled) trade unionism. I am not for "responsible," but opposed to "irresponsible" trade unionism. I am simply not pro-union, period. I can no more be pro-union than I can be pro-the Southern California Fruit Growers' Association or pro-the Retail Druggists' Association of America.

But there is worse to come: I am not even anti-union but pro-labor. I cannot direct my concern to one man rather than another simply because one is a laborer and the other one an entrepreneur or a landowner or even (God help us!) a member of the *rentier* class.

But, as W. C. Fields once said, "No man who hates both dogs and children can be altogether bad," and I will confess to one weakness. I am persuaded that proper economic policy requires that we fix our gaze steadily on the long-run interests of the consumer and ignore all else. Surely you are prepared by now for a quotation from Adam Smith, and here it is:

> Consumption is the sole end and purpose of all production; and the interest of the producer ought to be attended to only so far as it may be necessary for promoting that of the consumer. The maxim is so perfectly self-evident, that it would be absurd to attempt to prove it.[1]

As a matter of fact, in the modern literature on my specific topic, the labor monopoly, I have found almost nothing that was not ex-

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[1] Adam Smith, *The Wealth of Nations* (Modern Library Edition), p. 625.

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plicitly and intelligently discussed in *The Wealth of Nations*. My regret is that our public policy in this area has moved so far from his wise counsel.

In effect, Adam Smith said that trade unions are forever and unequivocally antithetical to the free economy; but he added that it would be difficult and destructive of liberty to legislate them out of existence and that this should not be attempted. He proposed that they be tolerated but in no way encouraged or granted special privileges and immunities.

This was Adam Smith's position and it is also mine. In the sections to follow I shall present the reasoning and the value judgments that lead me to take this position.

A. REVIEW OF OPPOSING VIEWS

I am aware that the policy position I have taken is not consistent with the present policy of this country. I am keenly aware of the fact that it is not only opposed by but is deeply disturbing to many persons, both in and out of the academic world, whose good will and intelligence I respect. Both this respect and the desire to make my reasoning, my assumptions, and my judgments as explicit as possible impel me to state why I cannot accept the conventional policy of the government nor the conventional wisdom that supports it.

In beginning this review of the various shadings of the conventional wisdom, I must apologize for the obvious oversimplification and distortion of individual positions that is involved in creating such useful and meaningful but arbitrary groupings as "the human relations group" and "the labor economist group."

The Human Relations Approach

Perhaps the most extreme position is that taken by the personnel, human-relations group. To the members of this group, the question of whether there is or is not a labor monopoly is simply irrelevant. It is irrelevant because monopoly is a market-type word and they have decided that the market doesn't exist. Recently, I scanned a collection of books with titles such as Human Relations in Industry and was dismayed to find that my discipline, economics, is obsolete.

Thus Norman Maier in his book, *Psychology in Industry*, writes, "Except in very general ways the law of supply and demand no longer applies to labor."[2] Joseph Tiffin in the book, *Industrial Psychology*, writes, "In general, management as well as labor is becom-

[2] Norman Maier, *Psychology in Industry* (New York, Houghton Miffilin, 1955), p. 6.

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ing less and less dependent on the so-called 'law' of supply and demand as a basic factor in determining wage rates."[3]

And so it goes. As Kenneth Boulding of the University of Michigan once said in a discussion of this topic, everywhere he turns he finds labor economists and industrial relations specialists jumping up and down on the corpse of supply and demand and proclaiming, the labor market is dead; long live human relations!

Of course it is patently true that neither the employer nor the worker looks with favor on the labor market process as it impinges disadvantageously on him. To paraphrase St. Augustine, each is saying, "O Lord, make me be forced to compete, but not yet." The human relations experts say, "—not yet, or ever." Many of them look with horror on the competitive struggle of the market place and on the conflict of employer and employee over division of the product. They seem to imagine that the "right" system of industrial relations can be developed which will generate in each firm such a feeling of togetherness that hand-in-hand employer and employee will march joyously into the New Jerusalem.

Attractive as this picture is, I am nonetheless convinced that neither employer nor employee nor human relations expert will like what he will get if we continue to move away from the labor market, if we insist that the services of labor must not be subjected to the vulgar calculus of the market place.

If the employer does succeed in insulating his own workers from the temptations of the market place, he will find that he must then take care of them through thick or thin and that the guaranteed annual wage will have to give way to the guaranteed lifetime wage. He will also find that his motivation problems have assumed staggering proportions. Good human relations or lousy human relations, the worker you can neither fire nor promote on the basis of performance is going to be a hard worker to stir into action.

But the worker, too, will find his security a very mixed blessing. To discover too late that he has made an unwise first decision and yet to be condemned by the weight of seniority and other considerations to that job is likely to be a frustrating experience. The old freedom to pick up and move will be gone, because, of course, to move would be to threaten another man's job and hence his property. Even the union that ad-

[3] Joseph Tiffin, *Industrial Psychology* (New York, Prentice-Hall, 1952), p. 362.

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ministers this job security system will find it a mixed blessing. The workers will now turn their ambitions to control of the controllers, and the fights for power within the unions will be bitter and bloody. Moreover, the amount of power exercised by the leadership over the economic process will be so tempting that cases of corruption and racketeering will be commonplace. These circumstances may in turn engender such a great amount of public ill will that the unions will find themselves more and more under the control and guidance of government. Even the human relations expert will be disappointed to find that competition and conflict can go on outside the market place. In fact the nonmarket conflict is likely to be more personal and hence more degrading than the old market-channeled conflict.

In sum, neither the employer nor the employee nor the human relations expert is likely to approve of what he will get if he gets what he now seems to want. The question of the impact of the trade-union on a market economy cannot be assumed away by assuming away the labor market.

The Macroeconomic Approach

I turn now to the economists and find in many of them a like tendency to consider the labor monopoly issue, at least in its typical concerns, to be largely irrelevant. For example, to one group of economists, the microeconomic or individual-market aspects of labor monopoly are of little interest. What is important is the impact of wage determinations on the income- and employment-determining aggregates. Thus, trade union influence on wage-rates is of significance primarily as it affects beneficially or adversely the chances of the economy's attaining and maintaining full employment. Thus, if unions have increased the downward-rigidity of wage-rates, they may have introduced a valuable expectations-damping factor in deflationary movements. Similarly, the redistributive effects of wage increases may move the average propensity to consume in the right direction at the right time.

I have no doubt but that trade-union action may coincidentally and occasionally serve the interests of economic stability; but I also have no doubt that it may coincidentally and occasionally work directly contrary to the purposes of economic stability, particularly in an inflationary environment. For the effect to be always the right one would require a degree of societal control of trade-union policy that is not likely to be asked or granted in our society.

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Surely the interests of economic stability can be served by techniques more certain in effect and with fewer unwanted side effects than trade-unionism.

The Approach of the Labor Economists

Leaving the macroeconomic approach I turn now to the approach of the labor economists. It is always dangerous to ascribe a point of view to a group in which there may be a considerable range of opinion, but still I find a surprising homogeneity of approach in the textbooks on labor economics.

In general the authors of these books treat the central question of labor monopoly with rare delicacy and with esthetically remarkable displays of verbal footwork. In many of the books, the word monopoly is not even in the index. Note the care with which the author of the following passage has handled this question.

> To return to the original question as to whether unions are monopolies, there is no doubt they hold some degree of monopoly power. That is their nature and purpose, and we give them legal protection with the specific aim of increasing the bargaining (i.e., monopoly) power of labor. In only rare instances do unions actually control the supply of labor to a firm or occupation, and their freedom to do so should not (in the opinion of the author) be protected. But to say that unions hold monopoly power leaves the important questions unanswered. When and where is the monopoly power of the union clearly stronger than the monopsony power of the employer, and what are the best techniques for removing the discrepancy – or the reverse discrepancy? How can we prevent undue injury to the public from disagreements between union and management in essential industries? These and many other unanswered questions illustrate the pointlessness of discussing the problem of unions in the framework of monopoly analysis, and point to the direction in which the answers – if, indeed, there are any – are to be found.[4]

J. M. Clark has phrased it as follows: "We are opposed to monopoly; when we find a kind we do not want to oppose, we will call it by a different name."[5]

It may be true that a trade union does not match the description of classical enterprise monopoly in every detail. But its goal of manipulating the market to extract an advantage for those involved is certainly a monopoly-type goal. Personally, if I were paying dues to a union, I would most certainly feel cheated if the union leaders refused to act like

[4] Alfred Kuhn, *Labor Institutions and Economics* (New York, Rinehart & Co., 1956), pp. 594-95.

[5] J. M. Clark in *The Impact of the Union*, edited by David McCord Wright (New York, Kelley and Millman, 1956), p. 364.

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monopolists, if they made no attempt to manipulate the market in my favor. I may question whether trade unions in America have in fact been able to exercise strong monopoly power, but I can never question their desire to do so.

Having denied that unions try to or do exercise monopoly power, the labor economists go on to state that unions use their monopoly power to combat the monopsony power of the employers. Here at last is the classical case for trade unionism.

The relevant question would seem to be the following: Do employers in fact possess monopsony power in the labor markets in which they operate? Certainly they would like to do so and often attempt to do so. But I see nothing in the history of wage rates in this country and in comparisons of union and nonunion industry experience that would lead me to conclude that employers in this country do now or have ever exercised significant monopsony power in the labor markets. The weakness of the individual worker in obtaining "fair" wages is one of the most durable and widely-believed myths in the economic folklore of the modern world. Even my hero, Adam Smith, gave it some standing, though it may have possessed some greater validity in his day than in ours. Today's worker, with his far greater physical and psychological mobility, need hardly sit still to be exploited, and a solid core of movable workers will protect even those who have little or no mobility, just as I am protected in buying television sets by those who are shrewd enough to know that it is not magic but easily understood processes which cause them to work.

It is my firm belief that, as a general rule, workers need trade unions, not to assure themselves of roughly competitive wages, but only to assure themselves of wages *above* what the competitive market would assign them. If this fits in with our value system, let us endorse it, but let us at least be honest about it.

Now whether, through trade-unionism, workers can in fact gain wages *significantly* different from what a competitive market would produce for them is itself a debatable question. I am inclined to agree with Milton Friedman of the University of Chicago, and others who argue that the economic impact of unions has been exaggerated by both their friends and their foes. Admittedly, they have been more successful in some industries than in others, and the joint-demand approach gives us a pretty good explanation of why this should be.

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Also, they have been most successful when they have been able to enlist the direct or indirect support of government in their activities. Thus, my barber informs me that a nonunion barbershop in Indiana is almost certain to be found unsanitary by the state inspection teams, while a union barbershop can get by with almost anything.

In minimizing the influence of unions on wage levels and structures, I do not mean to say that unions cause no problems. Certainly, union action is capable of inconveniencing large segments of the American economy. Certainly, they can and do interfere with the efficient use of workers and machines in the individual plants and thus tend to lower the overall productivity of the economy. And certainly, they constitute at least a latent political pressure group of great strength and, from my point of view, of dangerous and mistaken social philosophy. (Yet, paradoxically, I am disturbed by our interfering with the right of union members to spend union funds in support of parties and candidates.)

But whether unions do or do not succeed in accomplishing what they wish to accomplish is not the important question. The important question is what should be the policy of the country toward a group that *seeks* to manipulate the market to the advantage of its members.

B. CRITICISM OF CURRENT POLICY

The American answer of this century has been that government should encourage and protect this particular group, the trade-unionists, as they seek to organize and to manipulate the market. This answer seems to have been based in part on the countervailing power thesis, in part on certain ideas of distributive justice, in part on the great American tradition of siding with the underdog.

Whatever the reasons were that led to this position being adopted, it has resulted in a series of legislative enactments, starting with the Clayton Act and various railway acts, which have given unions special privileges and immunities enjoyed by no other group in our economy.[6] Surely this approach directly violates one of the traditional philosophical positions of our society, namely, equality before the law.

The special privileges of trade-unions have been imaginatively described by Edward Chamberlin

[6] See listings in Roscoe Pound, *Legal Immunities of Labor Unions* (Washington, D.C., American Enterprise Association, Inc., 1957); Sylvester Petro, *The Labor Policy of the Free Society* (Ronald Press, 1957).

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of Harvard University, in the following passage:

> If A is bargaining with B over the sale of his house, and if A were given the privileges of a modern labor union, he would be able (1) to conspire with all other owners of houses not to make any alternative offer to B, using violence or the threat of violence if necessary to prevent them, (2) to deprive B himself of access to any alternative offers, (3) to surround the house of B and cut off all deliveries, including food (except by parcel post), (4) to stop all movement from B's house, so that if he were for instance a doctor he could not sell his services and make a living, and (5) to institute a boycott of B's business. All of these privileges, if he were capable of carrying them out, would no doubt strengthen A's position. But they would not be regarded by anyone as part of "bargaining" – unless A were a labor union.[7]

Surely if we must favor income redistribution (which I do not), we can find ways of implementing our wishes that do not violate the concepts of rule of law and equality before the law.

C. CONCLUSIONS

What then am I proposing? I am proposing that we place trade-unionism on the same basis as all other groupings in our economy and that whatever rules apply to the others should apply to unions as well. I am not proposing that we legislate unions out of existence. I am proposing only that we treat them as we should treat all collections of people seeking to manipulate the market. For the proper policy I turn again to Adam Smith and to the famous passage in which he outlines his approach to collusion among businessmen:

> People of the same trade seldom meet together, even for merriment and diversion, but the conversation ends in a conspiracy against the public, or in some contrivance to raise prices. It is impossible indeed to prevent such meetings, by any law which either could be executed, or would be consistent with liberty and justice. But though the law cannot hinder people of the same trade from sometimes assembling together, it ought to do nothing to facilitate such assemblies; much less to render them necessary.[8]

This was his approach to trade-unionism as well, and this approach was substantially the one that developed under American common law and was controlling until the legislative enactments of this century. Unions were tol-

[7] Edward H. Chamberlin, *The Economic Analysis of Labor Union Power*, (Washington, D.C., American Enterprise Association, Inc., January, 1958), pp. 41-42.

[8] Adam Smith, *The Wealth of Nations* (Modern Library Edition), p. 128.

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erated but not encouraged, and were granted no special privileges, no immunities from the law of the land. I would suggest that we return the problems of trade-unionism to the jurisdiction of the common law, which would mean sweeping away the relevant sections of the Clayton Act and the railway acts, as well as all of the Norris-LaGuardia Act, the Wagner Act, and the Taft-Hartley Act.

I realize that at this moment many of you find this a startling, perhaps even shocking, proposal. But let me sketch for you what seems to me to be the most likely path of movement in the years ahead. The relative popularity of state right-to-work laws is an important straw in the wind. It symbolizes the kind of authoritarian answer to unions that is almost certain to become more popular as time goes by.

To me the right-to-work law is an unwarranted intrusion by the state in the dealings of employers and employees. If an employer and his workers agree that only Presbyterians or Masons or union members will be employed in the plant, the state has no business interfering in that agreement. (I might add that the state also has no right interfering in agreements that would limit employment to nonunion workers; i.e., in outlawing yellow-dog contracts.)

As a matter of fact, in proposing right-to-work laws the political conservative is weakening his case against trade-unionism. In developing his case for right-to-work laws, he argues that workers *cannot* escape the exploiting union; but in developing his case against trade-unionism, he argues that workers *can* escape the would-be exploiting employer. My own guess is that the exceptions to the sufficient-mobility requirement are about as numerous and significant in one case as in the other – and that in neither are the exceptions of sufficient impact or duration to justify special legislation.

If you believe that the state should not intervene in dealings between employers and employees, then that means not only no Wagner Acts, but no right-to-work laws and no administrative review of wage settlements as well. Yet we seem to be headed for ever more intervention by the state in dealings between employers and employees, in the internal affairs of unions, and in the wage-price relationships in industry. Having created our Frankenstein, we are now going to break him to our will.

In the process the state is almost certain to undertake to dic-

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tate decisions about matters that should be left to the market place, and to create authoritarian patterns of action that will be degrading and debilitating to employers and employees alike. Unions were able to survive the times of adversity; whether they will be able to survive their successes is open to question.

If this forecast of the shape of things to come be even partly correct, then a suggestion that we review the legislative enactments of the last 50 years is not as ridiculous as it might seem at first blush. Failing a basic change in philosophy of the kind I have outlined, I see nothing but increasing difficulty in the years ahead. I have made my proposal in absolute seriousness and with no desire to simply shock or antagonize.

I am aware that it is difficult to "turn back the clock," but if we were convinced that it should be done, I suspect that we could find ways of doing it. I am also under no illusions that a full acceptance of my proposal would mean the end of all the vexing problems that arise in the employment relationship. Starting as I do with the assumption that man is imperfect, I can hardly arrive at the conclusion that he can create a utopia. The choice must always be among various degrees of imperfection and the choice I have made seems to be the least imperfect of those now available. ◈

IDEAS ON LIBERTY

The People

The people is a beast of muddy brain
That knows not its own strength, and therefore stands
Loaded with wood and stone; the powerless hands
Of a mere child guide it with bit and rein;
One kick would be enough to break the chain,
But the beast fears, and what the child demands
It does; nor its own terror understands,
Confused and stupefied by bugbears vain.
Most wonderful! With its own hand it ties
And gags itself – gives itself death and war
For pence doled out by kings from its own store.
Its own are all things between earth and heaven;
But this it knows not; and if one arise
To tell this truth, it kills him unforgiven.

TOMMASO CAMPANELLA, Italian philosopher, 1568-1639
Translation by John Addington Symonds

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Exploring the National Parks

JOHN C. SPARKS

THE PAST half-century has seen in America far more outright government ownership, and closer government participation and intervention in areas of private ownership, than ever before acceptable to the people of our country. This alien concept of government meets with less and less public opposition, much as the foot learns to accommodate an ill-fitting shoe. Today, few people are sufficiently shocked to voice dissent when the latest scheme to extend the scope of government is posed in the legislative halls. In large part, we have become numb and insensitive to these encroachments upon private property.

Occasionally, a new dissenter will emerge to take a stand against the most recent invasion of private ownership rights – but even he may be oblivious to earlier similar erosions. His awakening is just begun. It is not unusual to find him defending other areas of government intervention and ownership to which he has grown accustomed and for which he visualizes no alternative.

On the other hand, the exciting reaction to the reborn idea of private ownership may be likened to the thrill from one's sudden awareness of new and beautiful vistas. From such stimulation can come fruitful cultivation of areas now lying fallow.

Our purpose here is to turn men's thoughts to those wastelands of government ownership and control that have been foreclosed to private initiative and development. Education is high on this list; and the category must include such functions as postal services, highways, and water supplies.

Another governmental activity,

Mr. Sparks is a business executive of Canton, Ohio, recently returned with his family from a vacation trip through the West.

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virtually unchallenged today, is the conservation of natural resources. Let us consider it, particularly with reference to the vast system of national park facilities which are intended to preserve areas of natural beauty for recreation and enjoyment by the American people.

Review the Situation

To suggest that national parks be removed from government ownership is nearly as shocking as to propose the elimination of motherhood or baseball. But, if we can restrain our consternation, let us turn our minds toward the potentials and possibilities of private ownership. This will not be an attempt to stimulate a "heated revolution" against government-owned national parks. The purpose, rather, is to examine one of the least objectionable (and most sacred) cases of government ownership, to invite thinking about alternative arrangements, and at the same time to challenge more dangerous government-ownership ideas.

There are well over one hundred national parks and national monuments occupying more than twenty-six million acres of land. Fearful that the increasing population would increase the demand for land, Congress in July, 1964, set aside within existing park lands fifty-four "wilderness areas." Billions of dollars will be provided under another bill for *new* park land and waterways. "The purpose of the wilderness areas is to preserve some of the scenic wonders of the United States as they were when white men first saw them. These areas will be for the enjoyment of the person who seeks solitude in nature."[1] Other legislation is planned to improve the administration and use of the park lands.

Touring the West

Twelve million Americans visit national parks every year, hoping to enjoy the beauty and grandeur of nature. For many of these visitors, a trip through "the West" is a once-in-a-lifetime excursion to be packed into a two- to four-week vacation. The time must be severly budgeted if one is to see more than one or two of these scenic wonders. Usually, such a jaunt from the East or Midwest will attempt to include visits to such national parks as Rocky Mountain, Mesa Verde, Grand Canyon, Zion, Bryce Canyon, Yosemite, and Sequoia—and perhaps Yellowstone and the Grand Tetons on the way back east. An automobile trip can be reasonably scheduled to reach

[1] "Keeping the Wilderness Wild—How It Will Be Done," *U. S. News and World Report*, August 24, 1964.

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all of these areas within the allotted time, but the prospect of seeing much when one gets there is dim unless several days are spent in each park. Practically nothing is done to assist the viewing and enjoyment of the parks in the minimum amount of time.

The park roads are often of questionable layout. A typical national park requires the traveler to cover many miles of side roads from the entrance to the attractions of the greatest interest. Mesa Verde, for example, requires a tortuous twenty-mile trip from the entrance to the site of the famed cliff dwellers. The narrow, winding, climbing highway hangs on precipitous cliff walls at numerous points. What makes the view so breath-taking is the prospect of a plunge to the rocks a half-mile below. Once safely on top, one may explore the several cliff-dwelling areas – if he can stand the heat, climb the ladders up the face of the cliffs, crawl through tunnels, and calmly negotiate around the fellow explorer who has fainted or overextended himself. No objection is posed here to methods, unlike my own, by which others may enjoy a national park. There are numerous trails for hiking and horse- or muleback riding. Camp sites, cabins, tents, and hotels allow for a variety of living tastes while there. Thorough viewing of the wonders, however, has little or no variety to offer in regard to the sightseeing means available. It is of only one category – best described as "roughing it," or on the order of the primitive. This may be the best way for those who have the time and physical ability. My objection is to its being the *only* way offered.

Why Not Let Disney Do It?

To wring out the enjoyment from the Grand Canyon National Park requires several days at the minimum and exhaustive climbs. All of this can be fun for some, but a mixture of disappointment and frustration for others. The thought that kept returning to me concerned a private owner of another place for public enjoyment.[2] If Walt Disney were operating the

[2] Disneyland, Anaheim, California, averages 5,500,000 visitors annually. Grand Canyon is estimated to have 500,000 annual viewers. Disney's "Magic Kingdom," aptly called the happiest place on earth, is made up of 65 acres, with an additional 105 acres of parking facilities – representing currently an investment of 45 million dollars. Employees of Disneyland number four thousand in the summer season, and two thousand year-round. The main objective is wholesome family enjoyment, but not juvenile, as reflected in the surprising ratio of four adults to every child. Visitors come from fifty states and more than one hundred foreign nations, probably making it the greatest tourist attraction in the world.

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Grand Canyon tourist area, for example, there undoubtedly would have been ways provided to see its thrilling beauties comfortably and without wastefully expending precious time scheduled for other park areas. How? I am content to leave such resourcefulness up to him, or to another similarly blessed with his happy brand of fantasy, inventiveness, and initiative.[3] Would it be by a monorail penetrating the hidden wonders of the canyons? A skillfully and safely engineered shooting-the-rapids of the Colorado River? I do not know. Of this, I am certain, however: were this scenic wonder owned by (or leased to) a private owner with profit as a goal, and imagination and ingenuity as a means, the traveler would be pleasantly treated to views and thrills now possible only at great expense of time and physical effort.

A friend, discussing this idea, observed that a private owner probably would "overcharge," revealing that he had spent nearly twenty-five dollars in one day with his family at Disneyland. "Think what Disney would charge for a monorail ride through the depths of Grand Canyon," declared my friend. What he has forgotten is the amount of taxes each one of us must pay *every* year toward national park operation, whether or not we visit the Grand Canyon or any other park. The amount of that tax far exceeds the probable market price of a once-in-a-lifetime series of pleasant, comfortable, and safe excursions that creative, profit-minded private owners or operators of scenic wonders would surely provide. The savings of tax costs to the citizen doubtless would allow additional vacation enjoyments.

There Must Be a Better Way

No criticism is intended of the museums and displays at various park headquarters. They seem to be skillfully prepared; and the talks by naturalists and park

[3] For example, Walter Knott, the creator of Knott's Berry Farm and Ghost Town, Buena Park, California. Started 44 years ago, this popular tourist attraction is estimated to have 4½ million visitors annually. In 1951, Knott, an ardent crusader for the free-enterprise society, bought a quaint Mojave Desert ghost mining-town called Calico, for $13,500. He faithfully restored the town at a cost of $700,000 as a historic monument. "When the overflowing visitors parked their cars on surrounding desert, the Department of Interior threatened to penalize Knott for trespassing on government-owned land. He offered to buy some of the land, but Interior officials demanded an exorbitant price," as reported by *The Reader's Digest*, June, 1964, in an article by Frank J. Taylor entitled "One Man's Crusade for Everybody's Freedom." Later Knott deeded Calico to San Bernardino County for a park. The county then acquired the necessary land at 1/400 of the price asked from Knott. The Knotts contract to run the park for the County.

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rangers are capably presented. Undoubtedly, the parks are maintained in accordance with the policy adopted by Congress years ago to conserve (or preserve) ". . . the scenery and natural and historic objects and the wildlife for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations."

Neither is there a quarrel with the goal to preserve our magnificent mountains, canyons, and other splendors of nature, including native plants and wildlife. The value of such areas to various scientists must be considerable. And yet, the stated purpose of the national park system is *to provide enjoyment* to present generations without destroying the same for future generations. It is suggested that the nature of the ownership is the probable reason why the national parks leave much to be desired for the enjoyment of their guests – that a private owner (or lessee) would be more sensitive to the wishes and desires of customers and would offer improved accommodations and facilities. Unless this were done acceptably, the owner (or lessee) of the park land would not attract enough customers to make a profitable return on his investment. Another investor would then "buy out" his inefficient predecessor, and the improvement of facilities would occur.

Unfounded Fears

Discussion of this subject also revealed a fear concerning what might happen if government were to remove itself altogether from ownership or control of the national park recreational activity. That fear, simply stated: all recreational facilities available to the public would disappear. Why this would occur, my friend failed to explain. He just assumed, I suppose, that recreation would be an unprofitable enterprise without tax subsidy; therefore, no one would go into the private business of providing for the variety of sports and outdoor pastimes in which the American people seek relaxation. This bit of illogic flies in the face of a sporting goods industry (thousands of privately-owned companies) that has grown in almost direct proportion to the increased leisure afforded by automated machinery and mass production for the masses.

Suppose that golf courses had been under the sole ownership, control, and subsidy of government for the past twenty-five years, and that now someone were proposing private ownership. As in the case of national parks today, the illogical argument would

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be that only government is able to assemble enough land, to invest enough money for watering systems and expensively constructed putting greens, and to absorb the costly maintenance and operating expenses. Without government, it would be argued, the healthful recreation of golf would disappear. Yet we know that private investment in new golf courses and family country clubs all over the country has been phenomenal during these years – and without government assistance.

When there is a demand for recreation – that is, people who want and are willing to pay for recreation – there will be those to provide it without resort to government. Had government not preempted the business of national parks, private investors would step in to meet the demand, more capably than is now done, to the great pleasure and delight of the vacationer. If hunting and fishing areas are demanded, these will be provided. If scenic viewing is desired, private investors and entrepreneurs will be there ready to give safe, comfortable, pleasurable sightseeing to more customers at less cost. Whatever recreation it might be – camping, mountain climbing, skiing, white-water canoeing, hiking, bicycling, horseback riding – the most ample and imaginative facilities at the lowest cost will be available to the American public when the government removes itself from the field of recreation and allows the magic of the market place to step into this static breach.

Are the arguments convincing? Not to the point, I hope, that would send one off on a crusade for privately-owned or privately-leased "national" parks, because all crusaders are needed at more crucial places in the campaign against government tyranny. Yet the arguments may help to spike the weak, baseless contentions that public ownership is essential or even desirable for national parks. And by exploding that false premise, we may help to stop some of the more serious governmental intrusions into the private lives and against the private property of Americans. ◈

IDEAS ON LIBERTY

Faith

How should we consciously determine a future which is, by its very nature, beyond our comprehension? Such presumption reveals only the narrowness of an outlook uninformed by humility.

MICHAEL POLANYI, *The Logic of Liberty*

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Seeds of Freedom

THERE ARE thirty-two contributors represented in this Volume XI of *Essays on Liberty* (Foundation for Economic Education, $3 cloth, $2 paper). And none of them, in the present U. S. climate of opinion, could be elected dogcatcher.

Inasmuch as the thirty-two contributors are all on the side of what is incontestably true in economics and social organization, this might seem a legitimate cause for intense gloom. But no true libertarian can see it this way. My reason for saying this is that the people represented in the *Essays* have more important things to do than run for office. And their work cannot be done in a day.

In her essay called "The Nature of Government," Ayn Rand says: "The source of the government's authority is the 'consent of the governed.' This means that the government is not the *ruler*, but the servant or *agent* of the citizen; it means that the government as such has no rights except the rights *delegated* to it by the citizens for a specific purpose."

Now, the distinguishing characteristic of the thirty-two contributors to this volume is that they are not, by nature, fitted to be agents. They all have the temperament of prime movers. If, by some strange chance, they were elected to office in this age of the "mixed economy" and the reign of the doctrine that it is the mark of the reasonable man to move crabwise toward the ultimate end of socialism, they would make an unholy mess of things. For who among them would be able to abide acting the role of "agent" for the current middle-of-the-road majority? How be an honorable "agent" for a people that, in Edmund Opitz's words (page 401), accepts a trend "toward a centralized society run from the top down"? How be an honorable "agent" in a "national government" that "commands each year an increasing portion of the people's earnings"?

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Freedom of Choice

The United States, as the autumn campaign of 1964 has proved, is not yet ready for a return to the historic choice system that is outlined in this volume so persuasively by Ben Rogge. (We will be lucky to get, at this moment, a stabilization at the current level of error.) Says Rogge, "In the Rogge system, each man must be free to do what is his duty as he defines it, so long as he does not use force against another." Well, who is free today to use his energy to his own ends, even when they are wholly peaceful? As Leonard Read says (page 37), "there are ever so many who favor prohibiting our freedom of choice in order to: pay farmers for not growing wheat and other crops; support socialist governments all over the world; put three men on the moon (estimated at $40,000,000,000); subsidize below-cost pricing in air, water, and land transportation, education, insurance, loans of countless kinds; socialize security; renew downtowns, build hospitals and other local facilities; give federal aid of this or that variety, endlessly."

The Read list of prohibitions on freedom of choice is, as he says, practically interminable. If the electorate had the guts of mice, it would get rid of at least some of them. But no politician, in 1964, whether Republican or Democratic, really dares to give support to the full "Rogge system." Nobody offers himself as an "agent" for Ben Rogge or for Leonard Read. If anyone had done so on November 3 last, he would presumably have been snowed under.

So there is work to do, work that involves the patient understanding of the freedom philosophy that Leonard Read calls for in the essay called "Keep Freedom a Secret?" Ideas, as Mr. Read says, have a "mysterious radiation," and they do not become majority ideas until their time has come.

Wasted Resources

The majority idea, today, as expressed by Secretary of the Interior Udall and Supreme Court Justice Bill Douglas, is that the "government" must step in to "conserve our resources." So we have "wilderness bills" presented and passed in Congress. Paul Poirot, in his essay on "The Greatest Waste," laughs at the whole idea of talking about "waste" in a world that has seen whale oil lamps superseded by electric lights, and wood supplemented by all sorts of plastics. If, as the chemurgists say, "anything can be made of anything else," the world will not soon run out of what it needs. As new gas wells

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are drilled under the North Sea and new iron ore deposits are discovered in Alaska, it is obvious even to the nonchemurgists among us that the hullabaloo about "waste" is vastly overplayed. Nevertheless, Dr. Poirot could not run for political office against a Udall or a Douglas in today's intellectual climate and get elected. Dr. Poirot still has a decade or so of talking ahead of him before he will seem a proper "agent" for the people. He could get there, assuming he would ever want to be an agent, for even as he is busy attacking the Udalls and the Douglases, a big company, the Continental Can Corporation, is hard at work reforesting acres of land in Georgia and North Florida to provide wood for its paper containers. Proving thereby that individuals have a natural interest in voluntary conservation. Dr. Poirot patiently makes the point, and it is good at this period that he chooses to be a prime mover, not an "agent."

It's still "seed time" for the next revolution in America, and there are some mighty promising seeds planted in this Volume XI of *Essays on Liberty*. Walter B. Wriston quotes Thomas Braniff as telling Juan Perón, the then dictator of the Argentine, that "capital goes where it is wanted and it stays where it is well treated." They still don't quite realize this in most countries of South America, but in Brazil, it seems, they are finally waking up. Murray Rothbard, in his essay titled "Mercantilism: A Lesson for Our Times?" recalls that King James I and his son, Charles I, tried to compel employers to remain in business even when they were losing money. We have had a modern echo of this bit of Stuart absolutism in court decisions involving the modern textile industry, but it is just as impossible today to squeeze blood from stones as it was in the seventeenth century. Someday the U. S. will elect "agents" to represent antimercantilists, but meanwhile Murray Rothbard will have to wait for his seed to sprout.

Ideas Precede Action

One reason why it is good to forget political "agents" and concentrate on prime movers at this moment is that history shows that politics will respond in its own good time to the force of ideas. Even as I was reading Volume XI of *Essays on Liberty* I picked up the recent *Fortune* magazine article by Philip Siekman on the Brazilian Revolution, "When Executives Turned Revolutionaries." Mr. Siekman tells how a Brazilian friend of Leonard Read, a businessman named Paulo Ayres Fil-

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ho, started circulating Foundation for Economic Education booklets in his inflation-ridden country. This was in the early fifties. The FEE ideas took hold among Brazil businessmen as the political leaders of the country persisted in their Leftist frenzies. Within a decade the seed had sprouted, and when the Brazilians, just recently, threw out the communist-infiltrated Goulart government, it was at last possible for a prime mover on the freedom philosophy side to accept a job as political "agent" of the people in Brazil without stultifying himself. The point to be stressed here is that the work of being a prime mover is a real work for a man. The "agency" of government is something that follows after.

It astounded Leonard Read that FEE ideas, as expressed in books and pamphlets that have preceded this Volume XI of *Essays on Liberty,* should have had anything to do with a South American revolution. "The political culmination in Brazil," he says, "was not nor could it have been planned by us... Instead, the FEE eye was fixed only – as always – on a better understanding of the freedom philosophy and how to explain it to any interested person. Ideas do, indeed, work in wondrous ways their miracles to perform."

The moral: Stop worrying about political "agents." When the freedom philosophy prime movers have done their work, we'll get the "agents" we want. Volume XI of *Essays on Liberty* contains the work of thirty-two prime movers, and their work must be spread throughout more countries than Brazil. ◈

▶ MEMOIRS OF A SUPERFLUOUS MAN by Albert Jay Nock (Chicago: Henry Regnery Company, 1964), 326 pp., $5.95

Reviewed by Robert M. Thornton

THE BRISK SALE of the *Memoirs* when it first came out twenty-one years ago prompted Mr. Nock to remark that perhaps something was wrong with his book. For Mr. Nock wrote with an eye to future generations; what he had to say – and he "preached the Word" with the bark on it – was not calculated to soothe the reader who worshiped the idols of the day. There are books that work their way slowly and unobtrusively into the thought stream and have consequences out of all proportion to the fuss made over them at the time of publication. So it has been with Mr. Nock's work. He has become one of the most articulate spokesmen for the individual person trapped in a society rushing

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hell-bent down the road to collectivism. And without a doubt his finest effort was this "autobiography of a mind."

The *Memoirs* is literally chockfull of provocative ideas, any one of which might inspire an essay, or even a book. It is difficult, therefore, for a reviewer to decide what to mention. Shall it be Mr. Nock's warning that to confuse training (instrumental knowledge – preparation for earning a living) with education (formative knowledge – preparation for living) will work to the detriment of the latter, for education will not "take" with everyone? Or Mr. Nock's complaint about the effort to bring all conduct under statutory controls instead of leaving major areas of human behavior to the regulation of morality, taste, and manners? Or Mr. Nock's scoffing at the theories which confuse money with true wealth, leading to such absurdities as the effort to spend ourselves into prosperity? Or Mr. Nock's strong words against the state – that two-pronged organism comprising those who exercise political power plus those for whose economic advantage the power is wielded – which is everywhere and always the enemy of responsible individuals? Or Mr. Nock's observations on the limitations of human organizations and the three "laws" that threaten every one that has been created by man? Or . . . . but where shall we stop? In an age given over to "social engineering" and the "social gospel" Mr. Nock was an outcast intellectual. "The only reform that anyone is called upon to attempt," he wrote, "is reform of oneself."

Il faut cultiver notre jardin (we must cultivate our own garden). With these words Voltaire ends his treatise called *Candide*, which in its few pages assays more solid worth, more informed common sense, than the entire bulk of nineteenth-century hedonist literature can show. To my mind, those few concluding words sum up the whole social responsibility of man. The only thing that the psychically-human being can do to improve society is to present society with *one improved unit.* In a word, ages of experience testify that the only way society can be improved is by the individualist method which Jesus apparently regarded as the only one whereby the Kingdom of Heaven can be established as a going concern; that is, the method of each *one* doing his very best to improve *one.*

Just so – and look at the mess made by those who would reform their fellow men by political means instead of patiently relying on the gentle art of persuasion and the example of self-improvement.

The Rev. Robert A. Raines has remarked that "the only kind of

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change in life which means anything because it transforms everything in its path is that which changes people's thinking, their deepest convictions, that which makes them see the world in a different way. This doesn't happen often." One man may do this for another by what he says, or by what he writes. Now it takes a very special book to bring about this profound change, one which clearly speaks to our total condition. A book aimed only at the emotions or only at the intellect will seldom do the job. Such a reorientation calls for a book which, like the *Memoirs,* appeals to the human spirit and so permeates one's whole being that, from the first reading on, he is never quite the same person again.

As one who has had this experience (and I make no claim that everyone who reads the book will have a similar one – different minds are unlocked by different keys) I find it difficult to offer the reader a calm appraisal of the *Memoirs.* Objectivity I must leave to the scholars. My purpose is much simpler – to recommend a book that has meant very much to me, and to hail its republication. The sales of this new edition should provide a reliable index to the state of our civilization today. ◈

▶ THE FEDERAL BULLDOZER: *A Critical Analysis of Urban Renewal, 1949-1962* by Martin Anderson (Cambridge, Massachusetts: The M.I.T. Press, 1964), 272 pp., $5.95

Reviewed by Paul L. Poirot

IF THE NEGATIVE results of the first fifteen years of the Federal Urban Renewal "experiment" were generally known to be as devastating as just reported in a study financed by the Joint Center for Urban Studies of M.I.T. and Harvard operating under a grant from the Ford Foundation, the program surely would be abandoned by popular request.

Dr. Martin Anderson, Assistant Professor of Finance at the Columbia University Graduate School of Business, supervised the study and assumes full responsibility for the findings. What began as a simple inquiry as to how private enterprise would be affected by the program ran into an exhaustive contrast of the optimistic claims of proponents of urban renewal against the bleak and documented facts and figures that spell failure, leading to the concluding recommendation "that the federal urban renewal program be repealed now."

Here are some of the "accomplishments" of the program to date:

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1. "It has made it more difficult for low- and middle-income groups to obtain housing because of the amount of low-rent housing it has destroyed."
2. "Over 60 per cent of the people forced to move are either Negroes, Puerto Ricans, or members of other minority groups."
3. "It is likely that urban renewal simply shifts slums and thus encourages the spread of slums and blight."
4. "So far, urban renewal may have caused a decrease in cities' tax revenues. . . . the chances of urban renewal increasing tax revenues are small. . . ."
5. "For every $1 contributed by the government in the form of grants and loans, private interests invest about $1, not $4."
6. "Urban renewal takes a very long time. The typical project takes almost twelve years to complete."
7. "The constitutionality of the federal urban renewal program is still an open issue, and a strong case can be made that it is not constitutional."

In addition to the displacement of families from the urban renewal areas – most of whom have been obliged to find less satisfactory housing at higher rental costs elsewhere – approximately 100,000 small businesses were scheduled for dislocation from 650 different project areas as of the end of 1959. Pilot studies reveal that from 25 to 40 per cent of these business firms never manage to relocate at all; they simply go out of business, thus aggravating the unemployment problem. Records for the relatively few urban renewal projects that have reached completion reveal that fewer than 4 per cent of the displaced businesses actually moved back into the renewed areas.

Professor Anderson's exhaustive research also revealed that contrary to the governmental and the popular impression, the decade from 1950 to 1960 probably witnessed "the greatest improvement in housing quality ever shown in the United States." And he could trace no more than a fraction of 1 per cent of that improvement to urban renewal efforts; by far most of the progress must be attributed to private enterprise.

The author concludes that "the federal urban renewal program conceived in 1949 had admirable goals. Unfortunately, it has not and cannot achieve them. Only free enterprise can." No careful reader of the study could be expected to agree with such a conclusion, the reason being that any goal involving the coercion of peaceful persons spells trouble, and cannot be admirable. ◈

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▸ THE HISTORIAN AND HISTORY by Page Smith (New York: Alfred A. Knopf, 1964), 261 pp., $4.95

Reviewed by Robert M. Thornton

THIS BOOK comes down hard on those historians who write history that deals with "forces" instead of men and events and substitutes abstract analysis and statistics for meaningful interpretations of human activity. History has been dehumanized, Smith charges, and great history is not being written: "The history that has commanded men's minds and hearts, has always been narrative history, history with a story to tell that illuminates the truth of the human situation, that lifts spirits and projects new potentialities."

Smith is scornful of those who claim to write "scientific history," who seem to believe that if all the available facts are put together they will, by some magic process, interpret themselves. He believes that the historian will gain an understanding of the past only if he practices humility and patience, and if his mood is one of sympathy instead of detachment.

Professor Smith does not read history as the record of continuous and inevitable progress and he likewise questions the cyclical theory of history propounded by the Greeks. Rather, like the Christian, he views history as the unfolding of God's purpose in the world. Marxism and other forms of utopianism, unlike Christianity, expect fulfillment *in* history "rather than at the end of time or outside of time."

But within the Christian community there were those who ignored history and embraced the views of the utopians and secular theorists. "The Social Gospelers associated themselves with the secular reformers. Evil lay not so much in the individual as in the social system. . . . They were highly optimistic about the possibilities of reform, were decidedly world-centered, and had a serene confidence in human reason. . . . The attitude of the Gospelers toward the past was hardly to be distinguished from that of secular liberals. Certainly the Social Gospelers gave no evidence of having a conception of history as a dramatic encounter between God and Man."

Page Smith believes that one explanation for the lost, uprooted feeling of recent generations is that history has been denied or forgotton. "To live simply in the present, as so many have undertaken to do in this age, destroying systemically the links which bind them to preceding generations, is to leave oneself at the mercy of all those neuroses for which our society has proved so fertile a breeding ground." ◈

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Prepared by VERNELIA A. CRAWFORD of the Foundation staff

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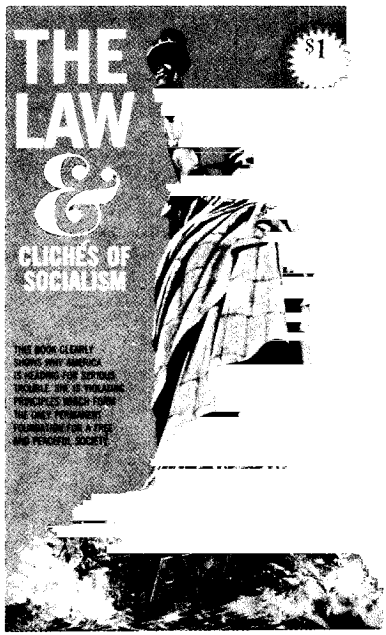

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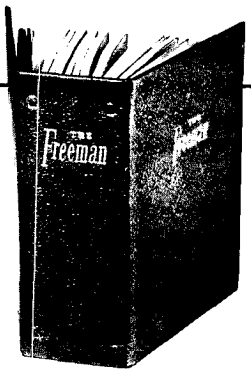

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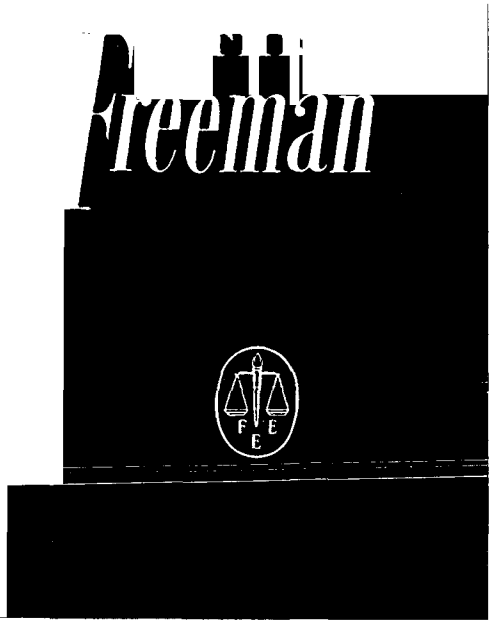

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